

RECEIVED

SEP 27 3 59 PM '01

POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

PRESIDING OFFICER'S
RULING NO. C99-1/24

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

Complaint on Post E.C.S.

Docket No C99-1

PRESIDING OFFICER'S RULING
CONCERNING TIMETABLE FOR
FILING OF COMPLAINANT'S
CASE IN CHIEF

(Issued September 27, 2001)

In Presiding Officer's Ruling No. C99-1/8, I granted Complainant United Parcel Service's motion for an extension of time in which to file its case-in-chief, and scheduled a prehearing conference.¹ At the conclusion of the subsequent prehearing conference, I asked counsel for Complainant for an estimate of when it would be able to file direct evidence in support of its Complaint. Tr. 1/39. Counsel responded that Complainant's ability to file depended on when responsive information would be forthcoming from the Postal Service, but anticipated that it would be able to do so "within three weeks of the date that the Postal Service provides information responsive to the interrogatories it has been ordered and will be ordered, we hope, to respond to." *Id.* at 39-40.

At this point, all of Complainant's outstanding motions to compel Postal Service responses to discovery requests have been ruled on.² The Postal Service submitted the last collection of responsive materials I had directed it to produce on September 7,

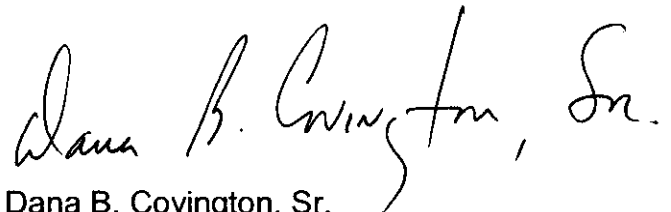
¹ Presiding Officer's Ruling No. C99-1/8, July 23, 1999, at 3.

² See Presiding Officer's Ruling No. C99-1/9, August 9, 1999; Presiding Officer's Ruling No. C99-1/14, February 7, 2000; Presiding Officer's Ruling No. C99-1/16, July 12, 2000; Presiding Officer's Ruling No. C99-1/19, November 29, 2000; Presiding Officer's Ruling No. C99-1/20, March 16, 2001; Presiding Officer's Ruling No. C99-1/22, June 11, 2001; Presiding Officer's Ruling No. C99-1/23, August 7, 2001.

2001.³ Consequently, we are approaching the point at which Complainant earlier estimated it would be able to file its case-in-chief. In view of this, I shall direct Complainant to provide a timetable for submission of its direct case on the subjects currently at issue in this proceeding.⁴

RULING

Complainant United Parcel Service shall provide an estimate of the date by which it can submit direct evidence on issues currently before the Commission in support of its Complaint in this docket by October 5, 2001.

A handwritten signature in black ink that reads "Dana B. Covington, Sr." The signature is written in a cursive, flowing style.

Dana B. Covington, Sr.
Presiding Officer

³ United States Postal Service Notice of Filing Library Reference LR-1/C99-1, September 7, 2001.

⁴ See Presiding Officer's Ruling No. C99-1/3, July 7, 1999; Order No. 1258, Order Affirming Disposition of Procedural Issues in Presiding Officer's Ruling No. C99-1/3, August 6, 1999.